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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,333	01/11/2002	Nir Ben-Dvora	1370.020US1	7983
	90 04/23/2007 · LUNDBERG, WOESS	EXAMINER		
P.O. BOX 2938	,	MATTIS, JASON E		
MINNEAPOLIS, MN 55402			ART UNIT	PAPER NUMBER
		2616		
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SHORTENED STATUTORY	PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MON	THS	04/23/2007	PAPER	

# Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

•		Application No.	Applicant(s)				
Office Action Summary		10/044,333	BEN-DVORA ET A	BEN-DVORA ET AL.			
		Examiner	Art Unit				
	,	Jason E. Mattis	2616				
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR RICHEVER IS LONGER, FROM THE MAILIN nsions of time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communicatio p period for reply is specified above, the maximum statutory p re to reply within the set or extended period for reply will, by seeply received by the Office later than three months after the period patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THIS COMMUINTER 1.136(a). In no event, however, mayon.  Deriod will apply and will expire SIX (6) No statute, cause the application to become	NICATION. If a reply be timely filed  ONTHS from the mailing date of this contained abandoned (35 U.S.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on 2	22 January 2007.					
		This action is non-final.					
3)□	Since this application is in condition for all	owance except for formal m	atters, prosecution as to the	merits is			
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Dispositi	on of Claims		•				
4)⊠	Claim(s) 1-22 is/are pending in the applica	ation.					
·	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)	Claim(s) is/are allowed.	•					
6)⊠	Di⊠ Claim(s) <u>13-22</u> is/are rejected.						
7)⊠	Claim(s) <u>1-12</u> is/are objected to.						
8)[	Claim(s) are subject to restriction a	nd/or election requirement.	•				
Applicati	on Papers						
9)[	The specification is objected to by the Exa	miner.					
10)	The drawing(s) filed on is/are: a)☐	accepted or b) objected	to by the Examiner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority (	under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
	1. Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachmen	t(s)						
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)							
	e of Draftsperson's Patent Drawing Review (PTO-948		lo(s)/Mail Date  of Informal Patent Application				
3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application  6) Other:							

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#### **DETAILED ACTION**

1. This Office Action is in response to the amendment filed 1/22/07. Claims 1-22 are currently pending in the application.

### Claim Objections

2. Claims 1-12 are objected to because of the following informalities:

Both independent claim 1 (See line 9 of claim 1) and independent claim 9 (See line 9 of claim 9) contain the phrase "bi-directional dual counter-rotating optical rings".

This phrase seems to contradict itself. If rings in a ring network are bi-directional (meaning data is sent in both directions), they cannot also be counter-rotating (meaning one ring sends data in one direction while another ring sends data in the opposite direction). It is recommended that the phrase "bi-directional dual counter-rotating optical rings" be changed to "two counter-rotating optical rings" in both claims 1 and 9.

Claims 2-8 and 10-12 are objected to because they depend on objected claims 1 and 9 respectively.

Appropriate correction is required.

## Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 13-22 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

More specifically, independent claims 13, 21, and 22 have each been amended to include limitations such as "configuring said first concentrator and said second concentrator so as to directly connect interface B of a particular node to interface A of its neighboring node" (see lines 5-7 of claim 13). However, it is clear from the Applicant's specification that there is no embodiment in which interface A of one node is "directly" connected to interface B of its neighboring node. All of the interface connections from one node to another node are made via a concentrator, and thus are not "direct" connections. In the previous Office Action (mailed 10/18/06), it was recommended that the claims be amended to clarify that each of the nodes has a direct connection to both the first and second concentrators. Independent claims 1 and 9 have been amended successfully to incorporate this limitation (see lines 5-7 of claim 1 and lines 5-7 of claim 9). It is recommended that the limitations stating that interfaces of nodes are directly connected to each other be removed from independent claims 13, 21, and 22. It is further recommended that a limitation clarifying that every node is directly connected to both the first concentrator and the second concentrator be added to independent claims 13, 21, and 22.

Claims 14-20 are rejected because they depend on rejected claim 13.

If the Applicant has any questions regarding the above recommendations please feel free to call the Examiner at the number provided so that any confusion may be cleared up.

### Allowable Subject Matter

- 5. Claims 1-12 would be allowable if amended to overcome the above claim objections.
- 6. Claims 13, 21, and 22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- 7. Claims 14-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600